

1 Steven Fishman
2 Federal Register Number 17280-004
3 FCI Terminal Island
Post Office Box #3007
San Pedro, California 90733-3007

4 Claimant In Pro Se

FILED

OCT 02 1987

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff/Respondent,

13 v.

14 STEVEN FISHMAN,

15 Defendant/Petitioner/
16 Claimant.

CASE NO: CR-88-0616-DLJ

NOTICE

TO

THE PRESIDING JUDGE, THE COURT,
AND TO ALL INTERESTED AND
AFFECTED PARTIES, OF THE
CLAIMANT'S CLAIM OF RIGHT
TO CHALLENGE JURISDICTION
AND TO RAISE QUESTIONS OF
JURISDICTIONAL DEFECTS WITH
REGARD TO CASE NUMBER
CR-88-0616-DLJ, FILED IN
UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF
CALIFORNIA, AT ANY TIME,
IN ANY COURT, AND CLAIM THE
RIGHT TO MANDATORY NON-
DISCRETIONARY JUDICIAL
DETERMINATION OF CLAIMANT'S
MOTION/PETITION FOR REMEDY
AND RELIEF PURSUANT TO
28 U.S.C. §2202, WITH REGARD
TO CLAIMANT'S JURISDICTIONAL
CHALLENGES

25 COMES NOW the Defendant/Petitioner/Claimant, STEVEN

26 FISHMAN, hereinafter referred to as the "Claimant," in Pro Se
27 and without the benefit of counsel, and presents this NOTICE

28 Gen Distr
O/JS

1 TO THE PRESIDING JUDGE, THE COURT, AND TO ALL INTERESTED
2 AND AFFECTED PARTIES, OF THE CLAIMANT'S CLAIM OF RIGHT TO
3 CHALLENGE JURISDICTION AND TO RAISE QUESTIONS OF JURISDICTIONAL
4 DEFECTS WITH REGARD TO CASE NUMBER CR-88-0616-DLJ, FILED
5 IN UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF
6 CALIFORNIA, AT ANY TIME, IN ANY COURT, AND CLAIM THE RIGHT
7 TO MANDATORY NON-DISCRETIONARY JUDICIAL DETERMINATION OF
8 CLAIMANT'S MOTION/PETITION FOR REMEDY AND RELIEF PURSUANT TO
9 28 U.S.C. §2202, WITH REGARD TO CLAIMANT'S JURISDICTIONAL
10 CHALLENGES, as more fully appears herein:

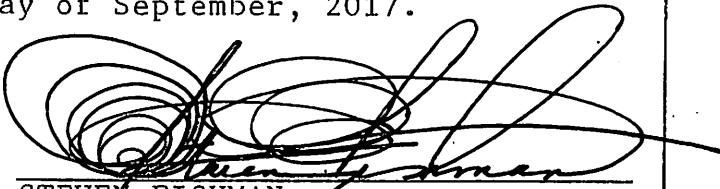
11 Inasmuch as it is a Maxim of Law to which all Federal
12 Courts must subscribe, that a party against whom a judgment
13 is rendered has the absolute inherent right, at any time,
14 and in any court, to challenge Jurisdiction and raise questions
15 of Jurisdictional Defects; and that said party has the absolute
16 inherent right to mandatory, non-discretionary Judicial
17 Determination of said party's Motion/Petition for Remedy
18 and Relief; the Claimant therefore hereby claims his absolute
19 inherent right to challenge jurisdiction and raise questions
20 of Jurisdictional Defects with regard to Case Number CR-88-
21 0616-DLJ filed in the United States District Court in the
22 Northern District of California, at any time, and in any court.
23 Furthermore, the Claimant claims the absolute inherent right to
24 mandatory non-discretionary Judicial Determination of the
25 Claimant's Motion/Petition for Remedy and Relief, pursuant
26 to 28 U.S.C. §2202, with regard to the Claimant's Jurisdictional
27

1 Challenges; and that once the right is claimed, the right is
2 protected by the Constitution of the United States; to wit:
3 the First Amendment; the Fifth Amendment; the Ninth Amendment;
4 reserved/retained unenumerated right(s)/power(s); the Tenth
5 Amendment; and the Fourteenth Amendment; as well as the Federal
6 Civil Rights Act of 1871; and the Acts of Congress evidenced at
7 18 U.S.C. §241 and §242; from any statute of limitations,
8 res judicata, laches or estoppel; as no statute, law,
9 regulation, custom, or usage can abridge an absolute inherently
10 protected right.

11 NOTICE IS FURTHER PROVIDED: That once such challenges
12 to Jurisdiction and Questions of Jurisdictional Defects
13 have been raised by the Claimant, the Presiding Judge
14 considering such objections to said Jurisdictional Defects,
15 lacks any discretion to ignore such questions of Jurisdictional
16 Defects; and any denial of the absolute inherent right
17 to Mandatory, Non-Discretionary Judicial Determination
18 of the Claimant's Motion/Petition for Remedy and Relief
19 pursuant to 28 U.S.C. §2202 with regard to the Claimant's
20 Jurisdictional Challenges, will prejudice the Claimant's
21 inherent protected rights; and such denial is an act of
22 Civil and Criminal Misconduct on the part of the Presiding
23 Judge. The Claimant reserves his inherent right to Petition
24 for Redress against the Presiding Judge as contemplated
25 at Question/Declaratory Judgment 18, should the Presiding
26 Judge elect to prejudice the Claimant's inherent protected
27 rights.

1 rights by refusing to provide a Mandatory, Non-Discretionary
2 Judicial Determination of the Claimant's Motion/Petition
3 for Remedy and Relief pursuant to 28 U.S.C. §2202, with
4 regard to the Claimant's enumerated Jurisdictional Challenges.

5 Executed on this 26th day of September, 2017.
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7
8



9 STEVEN FISHMAN
10 Claimant
11 Federal Register Number 17280-004
12 FCI Terminal Island
13 Post Office Box #3007
14 San Pedro, California 90733-3007
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DECLARATION OF DELIVERY/SERVICE

I, STEVEN FISHMAN, hereinafter the Declarant, hereby affirm and declare based on my personal knowledge, understanding and belief, as my free act and deed, that:

1. I am of the age of majority, of sound mind, and competent to testify.
2. I, the Declarant, delivered an original, signed copy of my NOTICE TO THE PRESIDING JUDGE, THE COURT, AND TO ALL INTERESTED AND AFFECTED PARTIES, OF THE CLAIMANT'S CLAIM OF RIGHT TO CHALLENGE JURISDICTION AND TO RAISE QUESTIONS OF JURISDICTIONAL DEFECTS WITH REGARD TO CASE NUMBER CR-88-0616-DLJ, FILED IN UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, AT ANY TIME, IN ANY COURT, AND CLAIM THE RIGHT TO MANDATORY NON-DISCRETIONARY JUDICIAL DETERMINATION OF CLAIMANT'S MOTION/PETITION FOR REMEDY AND RELIEF PURSUANT TO 28 U.S.C. §2202, WITH REGARD TO CLAIMANT'S JURISDICTIONAL CHALLENGES, to an Officer of the Federal Bureau of Prisons, FCI Terminal Island, addressed to:

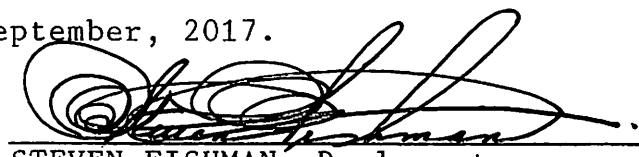
Clerk, United States District Court
 Northern District of California
 450 Golden Gate Avenue, 16th Floor
 San Francisco, California 94102-3434

United States Attorney's Office
 450 Golden Gate Avenue
 Post Office Box #36055
 San Francisco, California 94102

to be placed in the outgoing Legal Mail.

3. I, the Declarant, can find no evidence that since I am in custody, that the documents referred to in Statement 2 are not in fact filed and/or served when delivered to an Officer of the Federal Bureau of Prisons, to be placed in the outgoing Legal Mail, pursuant to Houston v. Lack, 487 U.S. 266, 270-271, 108 S.Ct. 2379, 101 L.Ed.2d 245 (1988); Federal Rule of Civil Procedure 5(b); and Federal Rule of Appellate Procedure 25. Service and/or filing of the documents referred to in Statement 2 is perfected on this 26th day of September, 2017.
4. I, the Declarant, having nothing further to state at this time, I hereby affirm and declare under the penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing facts are true and correct, to the best of my knowledge, understanding, and belief.

Executed on this 26th day of September, 2017.



STEVEN FISHMAN, Declarant
 Fed. Reg. No. 17280-004
 FCI Terminal Island, Box #3007
 San Pedro, California 90733-3007